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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,553	02/20/2004	KunHong Chen	E0523-00050	7460

8933 7590 07/21/2006

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EXAMINER

GRAYBILL, DAVID E

ART UNIT	PAPER NUMBER
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2822

DATE MAILED: 07/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/783553

EXAMINER

ART UNIT	PAPER
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20060515

DATE MAILED:

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Commissioner for Patents

David E Graybill
Primary Examiner
Art Unit: 2822

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/783,553	CHEN, KUNHONG	
	Examiner	Art Unit	
	David E. Graybill	2822	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 31 March 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

714.16 [R-3] Amendment After Notice of Allowance, 37 CFR 1.312

37 CFR 1.312. Amendments after allowance.

No amendment may be made as a matter of right in an application after the mailing of the notice of allowance. Any amendment filed pursuant to this section must be filed before or with the payment of the issue fee, and may be entered on the recommendation of the primary examiner, approved by the Director, without withdrawing the application from issue.


The amendment of an application by applicant after allowance falls within the guidelines of 37 CFR 1.312. Further, the amendment of an application broadly encompasses any change in the file record of the application. Accordingly, the following are examples of "amendments" by applicant after allowance which must comply with 37 CFR 1.312:

- (A) an amendment to the specification,
- (B) a change in the drawings,
- (C) an amendment to the claims,
- (D) a change in the inventorship,
- (E) the submission of prior art,
- (F) a petition to correct the spelling of an inventor's name,
- (G) a petition to change the order of the names of the inventors, etc.

Finally, it is pointed out that an amendment under 37 CFR 1.312 must be filed on or before the date the issue fee is paid, except where the amendment is required by the Office of Patent Publication, see MPEP § 714.16(d), subsection III. An amendment under 37 CFR 1.312 must comply with the provisions of 37 CFR 1.121.

608.02(z) [R-3] Allowable Applications Needing Drawing Corrections or Corrected Drawings IV. 37 CFR 1.312 AMENDMENTS

For information on handling amendments to drawings filed under 37 CFR 1.312, see MPEP § 714.16.


David E. Graybill
Primary Examiner
Art Unit: 2822